

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) Case No. 8:11MJ154  
                                  )  
                                  Plaintiff, )  
                                  )  
                                  vs. )  
                                  )  
GUILLERMO GARCIA-SOTO, )  
                                  )  
                                  Defendant. )

**DETENTION ORDER**

This matter came on for hearing following the arrest and detention of a material witness 18 U.S.C. § 3144 pursuant to an application and affidavit filed with the Court on July 6, 2011 and the warrant for the arrest of a material witness signed by the Court on July 6, 2011.

Christopher L. Ferretti, Assistant United States Attorney, represented the Government. John J. Ekeh represented the material witness, Eder Mendez-Lucero, who was present. A hearing was held and the attorneys for both the Government and the material witness were heard. I find the Government has established by a preponderance of the evidence that if Eder Mendez-Lucero was released, he would not appear as required and that detention of Eder Mendez-Lucero is necessary to prevent a failure of justice. The record demonstrates that a detainer has been filed by the Bureau of Immigration and Customs Enforcement and that if detention is not ordered, Eder Mendez-Lucero may be deported. I also find that testimony can be adequately secured by deposition and such deposition shall be scheduled as soon as possible.

**IT IS ORDERED:**

1. Eder Mendez-Lucero is a material witness, 18 U.S.C. § 3144, for the trial in

Case No. 8:11MJ154; and

2. Eder Mendez-Lucero is remanded to the custody of the U.S. Marshal as a material witness until such time as his deposition can be taken or until further Order of the Court.

Dated this 11th day of July, 2011.

BY THE COURT:

s/ F.A. Gossett, III  
United States Magistrate Judge